



DEPARTMENT OF VETERANS AFFAIRS
Washington DC 20420

October 11, 2013

In Reply Refer To: 001B

Mr. Michael Morisy
MuckRock News
DEPT MR 1905
P.O. Box 55819
Boston, MA 02205-5819

Dear Mr. Morisy:

This is in response to your Freedom of Information Act (FOIA) request, received by the Office of the Secretary, Department of Veterans Affairs (OSVA) on October 7, 2013, and assigned internal tracking #14-00140-F. In your request, you seek "digital/electronic copy of the Departmental Weekly Reports generated between Jan. 1, 2012 and the day this request is processed."

We apologize for the delay in responding to your request. Our agency is experiencing a backlog of pending requests, but is making progress in reducing that backlog. Please be advised that the Department of Veterans Affairs is unable to process your request as written without receiving additional clarification. The term "Departmental Weekly Reports" is too broad and general a term to positively identify the reports you are seeking. Please provide a reasonable interpretation and further clarification of your request, and if possible, narrow the scope of the search so that VA can conduct a search for responsive records.

In your request, you seek to have the fees for processing your request waived based on being categorized as a *Representative of News Media* requester. Please note that you must be a person or entity that gathers information of potential interest to a segment of the public, and use your editorial skills to turn the raw materials into a distinct work, and distribute that work to an audience. Merely making the information received available to the public (or others) is not sufficient to qualify a requester for placement in this category. Please be advised that an initial decision has been rendered that MuckRock is being classified as in the *All Other Requesters* category. Upon receiving additional clarification of your request, the Department of Veterans Affairs will conduct the first two hours of search time without charge. If necessary, VA will contact MuckRock to determine the willingness of MuckRock or your client to pay for the continued search activity. Charges for search include the time spent looking for responsive documents, including line-by-line identification of responsive material within a document. Charges apply even if no responsive records are located or if all responsive records are exempt from disclosure.

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The OSVA will keep your request in an open status for 20 working days pending receipt of additional clarification from MuckRock. If we do not receive a response from your agency within 20 days, your request will be closed. Under 38 C.F.R. Sec. 1.557, you have the right to appeal this response. Should you choose to appeal, please mail your appeal to the following address:

Office of General Counsel (024)
Department of Veterans Affairs
810 Vermont Avenue, NW
Washington, DC 20420

The envelope and the letter should be marked: "FREEDOM OF INFORMATION ACT APPEAL." Include a copy of this letter, your original request and the reason of your appeal. You may also include a daytime telephone number in case the Office of General Counsel needs additional information.

Sincerely,


Lisa Matuszczak
FOIA Officer